

Student Complaints and Appeals Policy and Procedure

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1. PURPOSE

- 1.1 This Complaints and Appeals Policy and related procedure are designed to ensure that Lennox College responds effectively to individual cases of dissatisfaction. This policy outlines Lennox's approach to managing complaints and appeals and ensures that all clients, students, employers and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately.

2. SCOPE

- 2.1 This policy applies to all, students, staff and other stakeholders in relation to Lennox College.

3. DEFINITIONS

- 3.1 **Complaint:** A person's expression of dissatisfaction with any service provided by Lennox.
3.2 **Formal complaint:** A written complaint.
3.3 **Appeal:** A request to review a decision that has previously been made as a result of a formal complaint.

4. POLICY STATEMENT

Complaints and appeals systems

- 4.1 Despite all efforts of Lennox to provide satisfactory services to its students, complaints may occasionally arise requiring formal resolution.
- 4.2 The CEO is responsible for ensuring that this Complaints and Appeals Policy is made available to all stakeholders via the Institute's website.
- 4.3 Lennox is committed to developing and maintaining an effective, timely, fair and equitable complaints and appeals system which is easily accessible and offered to complainants at no charge. Lennox aims to:
- 4.3.1. Develop a culture that views complaints and appeals as an opportunity to improve the organisation and how it works.
 - 4.3.2. Set in place a complaints and appeals handling system that is client focused and helps Lennox to prevent these events from recurring
 - 4.3.3. Ensure that any complaints and appeals are resolved promptly, objectively and with sensitivity and in complete confidentiality
 - 4.3.4. Ensure that the views of each complainant and respondent are respected and that any party to a complaint or appeal is not discriminated against nor victimised
 - 4.3.5. Ensure that there is a consistent response to complaints and appeals.
 - 4.3.6. Both parties may be assisted by a support personal in any relevant meeting.
- 4.4 All formal complaints and appeals and their outcomes will be recorded on the Complaints and Appeals Register.

Nature of complaints

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- 4.5 Complaints and appeals may be made on any aspect of Lennox's services, activities and decisions such as:
- 4.5.1. The enrolment, induction/orientation process
 - 4.5.2. The quality of education provided.
 - 4.5.3. Training and assessment matters, including student progress, assessment, curriculum and awards in a course of study.
 - 4.5.4. Access to personal records decisions made by Lennox.
 - 4.5.5. The way someone has been treated.

Resolving issues before they become a complaint

- 4.6 Students are encouraged, wherever possible; to resolve concerns or difficulties directly with the person(s) concerned to deal with the issue before it becomes a formal complaint. Lennox's Student Support Officers and other staff members are available to assist students to resolve their issues at this level.
- 4.7 Students must be made aware of the criticality of exhausting the in-house process for complaints resolution, using the internal and external complaints procedure before taking the matter to ASQA.

Lodging a complaint

- 4.8 Formal complaints and appeals are to be made in writing to the Student Support Officer.
- 4.9 All parties are encouraged to approach matters with an open view and to attempt to resolve problems through discussion and conciliation.
- 4.10 Where student complaints are discussed, records of the discussion and outcomes are to be recorded and placed on the student file.
- 4.11 Student complaints that cannot be resolved through discussions with the Student Support Officer may be escalated to the CEO for resolution.
- 4.12 This escalation will require interaction with the complainant to achieve resolution.
- 4.13 Where the student is satisfied by the resolution, the matter is closed. Where the student remains dissatisfied with the outcome, then they may appeal the decision. Students have the right to make an appeal against the decisions made by Lennox.
- 4.14 Appeals against any decisions are to be made in writing following this Formal Complaints and Appeals procedure.
- 4.15 Appeals against assessment decisions and other academic matters must be made within twenty (20) working days of the original decision being made.

Resolution

- 4.16 All formal complaints and appeals will be responded to as soon as possible but within twenty (20) days. Resolution may take a longer period of time, depending upon the complexity of the matter.
- 4.17 Where a student chooses to access this policy and procedure, Lennox will maintain the student's enrolment while the complaints handling process is ongoing.

Record keeping and confidentiality

- 4.18 A written record of all complaints and appeals handled under this policy and procedure and their outcomes shall be maintained for a period of at least two (2) years to allow all parties to the complaint or appeal appropriate access to these records.

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4.19 All records relating to complaints and appeals will be treated as confidential and will be covered by Lennox's Privacy and Personal Information Policy.

Non-limitation of policy/External Appeals

4.20 This policy and related procedure do not replace or modify those or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and related procedure limits the rights of individuals to take action under Australia's Consumer Protection laws.

4.21 Students have the right to access the external appeals process. Where this is the case, the matter shall be referred to the external independent mediator at no cost to the student.

4.22 The third party mediation organization is Commonwealth Ombudsman **1300 362 072**. This policy does not circumscribe an individual's rights to pursue other legal remedies.

5. COMPLAINTS AND APPEALS PROCEDURE

1 PURPOSE

5.1 This procedure outlines Lennox's approach to managing complaints and appeals and ensures that all learners and other stakeholders are aware of the steps to take to have their complaint or appeal addressed appropriately.

5.2 This policy provides an avenue for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

The word 'complaint' within the following refers to either a complaint or an appeal.

6. PROCEDURE

Stage 1 – Formal complaint

	Action	Details	Responsibility
1.1	Make a complaint in writing.	a) Formal complaints should be made in writing and made attention to the Student Support Officer. b) When making a complaint, provide as much information as possible to enable Lennox to investigate appropriately and determine an appropriate solution.	Complainant
1.2	Acknowledge receipt of complaint and commence process.	a) Provide receipt of the complaint to the complainant within five working days. b) Commence the complaints and appeals process within ten working days of receipt of the written complaint. All reasonable measures must be taken to finalise the process as soon as practicable or within twenty (20) working days. If the matter is particularly complex and goes onto stage 2 of the complaints process or further, the matter may take longer to resolve.	Student Support Officer

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1.3	Investigate and review the complaint.	<p>a) Upon receiving the complaint, the Student Support Officer may request further details from the complainant. This may be sought by written or verbal request or by face-to-face interview with the complainant and/or respondent(s).</p> <p>b) When such clarification occurs in a face-to-face interview, the persons being interviewed may have another person accompany them.</p> <p>c) Investigation into the matter will take place to ensure Lennox has accurate, complete and relevant information.</p> <p>d) The Student Welfare Officer will review the information and decide on the appropriate actions to be taken.</p> <p>e) During the investigation process, Should Lennox consider longer than 60 calendar days to process and finalise the complaint or appeal, Lennox will inform the complainant or appellant in writing and include reasoning and regularly update the complainant or appellant on the progress of the matter</p>	Student Support Officer
1.4	Recommend resolution and provide report to complainant.	<p>a) The Student Support Officer will endeavour to resolve the complaint. Within ten working days, the officer will provide a written report to the complainant on the steps taken to address the complaints and will include their recommendations and reasons for their decision.</p> <p>b) The report will further advise the complainant of their right to access the internal appeals process if they are not satisfied with the outcome of the formal complaint.</p>	Student Support Officer

Stage 2 – Internal appeal

	Action	Details	Responsibility
2.1	Escalate complaint – lodge appeal to Manager for review.	<p>a) If the complainant is dissatisfied with the outcome, they may lodge an appeal with the CEO/Delegate Officer (who is senior to the original decision maker).</p> <p>b) An appropriate person or committee will be appointed to consult with the complainant and other relevant parties within ten (10) working days.</p>	CEO/Delegate Officer

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	<p>c) Where possible such consultations should take the form of face-to-face interviews. The complainant or the respondent may ask another person to accompany them to these interviews.</p> <p>d) Following the consultation, the Manager (or nominee) will provide a written report to the complainant within 20 working days, advising the further steps taken to address the complaint, including the reasons for the decision.</p> <p>e) The report will further advise the complainant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal.</p>	
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Stage 3 – External appeal

	Action	Details	Responsibility
3.1	If required, escalate to external mediator for review.	If the complainant is dissatisfied with the outcome of their appeal, they may make a written request to Lennox that they wish the matter be dealt with through an external dispute resolution process. The external process is facilitated by the Commonwealth Ombudsman.	Complainant
3.2	Report to LENNOX Manager	<p>a) The mediator will report to Lennox's Manager or nominee, the outcome of the mediation, including any recommendations, asap</p> <p>b) Lennox agrees to be bound by the independent mediator's recommendations and the Manager, or nominee, will ensure that any recommendations made are implemented within thirty days of receipt of the mediator's report.</p>	External mediator.
3.3	Respond to complainant.	After receiving the report, Lennox's Manager or nominee will respond to the complainant within ten working days, and provide a written summary of the actions recommended by the external parties to resolve the complaint.	CEO/Delegate Officer

Records of complaints and their outcomes

	Action	Details	Responsibility
	Record complaint and outcomes.	a) Following the complaint, appropriate actions will be taken by Lennox to prevent the problem from recurring through its Continuous Improvement Policy.	CEO/Delegate Officer

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		b) The complaint details and outcomes will be added to Lennox's Complaints and Appeals Register for review by Management.	
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7. RELEVANT LEGISLATION AND DOCUMENTS

Documents

Student Complaints and Appeals Form
 Student Complaints and Appeals Stage One Outcome Letter
 Student Complaints and Appeals Acknowledgement Letter
 Complaints and Appeals Register

Legislation

1. According to The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 *Standard 10*:

10.1 The registered provider must have and implement a documented internal complaints handling and appeals process and policy, and provide the overseas student with comprehensive, free and easily accessible information about that process and policy.

10.2 The registered provider's internal complaints handling and appeals process must:

10.2.1 Include a process for the overseas student to lodge a formal complaint or appeal if a matter cannot be resolved informally.

10.2.2 Include that the provider will respond to any complaint or appeal the overseas student makes regarding his or her dealings with the registered provider, the registered provider's education agents or any related party the registered provider has an arrangement with to deliver the overseas student's course or related services

10.2.3 Commence assessment of the complaint or appeal within 10 working days of it being made in accordance with the registered provider's complaints handling and appeals process and policy, and finalise the outcome as soon as practicable

10.2.4 Ensure the overseas student is given an opportunity to formally present his or her case at minimal or no cost and be accompanied and assisted by a support person at any relevant meetings.

10.2.5 Conduct the assessment of the complaint or appeal in a professional, fair and transparent manner.

10.2.6 Ensure the overseas student is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome.

10.2.7 Keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome.

10.3 If the overseas student is not successful in the registered provider's internal complaints handling and appeals process, the registered provider must advise the overseas student within 10 working days of concluding the internal review of the overseas student's right to access an external complaints handling and appeals process at minimal or no cost. The registered provider must give the overseas student the contact details of the appropriate complaints handling and external appeals body.

10.4 If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the overseas student, the registered provider must immediately implement the

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decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action.

2. According to the Standards for Registered Training Organisations (RTOs) 2015.

2.1. Clause 1.7: The RTO determines the support needs of individual learners and provides access to the educational and support services necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET [vocational education and training] accredited courses.

2.2. Clause 5.4: Where there are any changes to agreed services, the RTO advises the learner as soon as practicable, including in relation to any new third party arrangements or a change in ownership or changes to existing third party arrangements.

2.3. Standard 6, Clause 6.1-6.5:

2.3.1. 6.1: The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- a) The RTO, its trainers, assessors or other staff
- b) A third party providing services on the RTO's behalf, its trainers, assessors or other staff
- c) A learner of the RTO.

2.3.2. Clause 6.2: The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

2.3.3. Clause 6.3: The RTO's complaints policy and appeals policy:

- a) Ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
- b) are publicly available
- c) Set out the procedure for making a complaint or requesting an appeal
- d) Ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.

2.3.4. Clause 6.4 : Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

- a) Informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required
- b) Regularly updates the complainant or appellant on the progress of the matter.

2.3.5. Clause 6.5: The RTO:

- a) Securely maintains records of all complaints and appeals and their outcomes
- b) Identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

Records Management

Staff members must maintain all records relevant to administering this policy and procedure in the college's recordkeeping system.

8. FEEDBACK

College staff and students may provide feedback about this document by emailing: compliance@lennoxcollege.edu.au

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9. APPROVAL DETAILS

Approval	Details
Approval Authority	CEO
Administrator	Compliance Officer
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Original Approval Authority and Date	CEO	20/09/2021
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10. FLOWCHART

